

ALTO 4335.3

REMARKS

Applicants have thoroughly considered the Examiner's remarks. Claims 1-38 are presented in the application for further examination. Reconsideration of the application claims in view of the following remarks is respectfully requested. The following remarks will follow the sequence of the Office action. The Arabic numerals beginning each paragraph correspond to the numbered paragraphs of the Office action.

1. The Examiner has requested more detail with regard to the basis for the amendments to the specification and claims in accordance with 37 CFR 1.173(c). Applicants submit that the prior provided support for claim changes complies with Rule 173(c). However, in order to further the prosecution of this reissue application, enclosed herewith is a Revised Support for Claim Changes. In the enclosed Revised Support for Claim Changes document, the amended and new claims are reproduced along with footnotes indicating the column and line number of the original patent which provides support for the amendments. Since the claim amendments parallel the amendments to the specification, applicants submit that adequate support has been provided for the amendments to the specification and claims in compliance with Rule 173(c) so that the request by the Examiner to comply with this Rule has been met and the objection may be withdrawn.

2. The Office action indicates that the Declaration does not meet the requirements of Rule 175(a)(1) "in that no appropriate 35 USC 251 error has been identified by applicants." Subsequent to the Office action, the undersigned had an interview with the Examiner in which the Examiner indicated that claiming priority was a correctable error since this application was filed prior to November 29, 2000. Since the Declaration specifies this as one of the bases for the reissue application,

ALTO 4335.3

applicants submit that the Declaration is in compliance with Rule 175(a)(1). Applicants withdraw the other basis specified in the Declaration.

3. Claims 1-38 stand rejected under 35 USC 251 as being based on a defective Declaration. As noted above, this has been resolved so that no further Declarations are needed. Thus, applicants request the Examiner withdraw the rejection of claims 1-38 based on 35 USC 251.

4.-5. The disclosure is objected to because the paragraph amended by Preliminary Amendment A on page 21, line 16 to page 22, line 4 included brackets within brackets. That paragraph is amended by this Amendment B and the informality of brackets within brackets has been corrected.

6. Claim 35 is objected to as having no antecedent basis for the outer tube. Applicants do not understand this objection as claim 35, line 2 recites "an outer tube" and claim 35, line 5 refers to such recital as "the outer tube."

7.-9. Claim 28 stands rejected under 35 USC 102(b) as being anticipated by Briscoe '737. Applicants respectfully request the Examiner's reconsideration of this rejection. On pages 3-4 of the Office action, the Examiner argues that the control 31 of Briscoe is

"responsive to user input 24 and the sensor for controlling the actuator to drive the support down to lower the head assembly until said signal is received and thereafter to drive the support down an additional distance to compress the compressable member an amount corresponding to said user input."

Applicants respectfully disagree with the Examiner's interpretation of Briscoe. In particular, the claim language noted above relates to a controller which is responsive to first a sensor for controlling the actuator and which is thereafter

ALTO 4335.3

responsive to drive the support an additional distance according to user input. Thus, claim 28 recites a controller which is responsive to movement as detected by the sensor and which then provides additional movement corresponding to an additional distance. In contrast, the Briscoe disclosure relates to a pressure control system. In fact, the title of Briscoe is Brush Pressure System. In the abstract, the Briscoe reference indicates that the working pressures are measured and displayed and that an operator may input a desired pressure and feedback can be used to tailor the working pressure to the chosen pressure input. In Briscoe at page 6, last full paragraph, it is indicated that "there is provided a system comprising input means for the operator to set the desired working pressure and comparative means for comparing the operator input pressure to the measured pressure and for generating a control signal in response to the difference between the desired pressure and the measured pressure and means for applying the control signal to the pressure applying means." Further, at pages 10-11 of Briscoe where Figure 4 is discussed, it is indicated that the control system is responsive to a pressure sensor indicated by reference character 4. In particular, on page 11 it is noted that

"a processor 31 compares the measured pressure signal with the operator selected pressure and generates a control signal according to control (as necessary) the actuator to make the measured pressure substantially the same as the selected pressure."

The pressure control of Briscoe is distinctly different than the recited control of claim 28 which is responsive to both user input and the sensor. Furthermore, the control according to claim 28 drives the support down to lower the head assembly

ALTO 4335.3

until the sensor senses the position of the head assembly and thereafter drives the support down in an additional distance. Thus, Briscoe fails to teach such a control which is responsive to both user input and the position sensor and fails to teach a control which drives the support an additional distance. To the contrary, Briscoe teaches nothing more than a pressure control system. Thus, applicants submit that claim 28 is distinguishable over the Briscoe reference and the rejection based on 35 USC 102 should be withdrawn.

10.-12. The subject matter of the various claims was commonly owned at the time any inventions covered therein were made.

13.-14. Claims 31 and 34 stand rejected under 35 USC 103(a) as being unpatentable over Burgoon '567 in view of Briscoe '737. The Examiner notes that Burgoon does not disclose any control device to control the pressure or distance for the head with respect to the surface. Thus, the Examiner cites Briscoe with regard to the rejection of claims 31 and 34 in the same way that Briscoe was cited with regard to claim 28. The Examiner argues that according to the teachings of Briscoe a user could control and adjust the pressure/distance of the head assembly with respect to the floor, thus not damaging the floor and yet still cleaning it efficiently. Applicants respectfully request the Examiner to reconsider the rejection in view of the above remarks relating to Briscoe. In addition, it is noted that claim 31 recites that the control is responsive to user input to lower the support until the head assembly is in contact with the surface and the spring is compressed a preset amount corresponding to the user input. Once again, claim 31 recites that the spring is compressed a preset amount which corresponds to the additional distance recited in claim 28. Thus, claim 31 is patentable over Briscoe for the same reasons that claim 28 is

ALTO 4335.3

patentable. Since the Examiner notes that the Burgoon patent does not address this aspect, applicants submit that claim 31 and claim 34 depending from claim 31 are patentable over Burgoon in view of Briscoe so that the rejection based on 35 USC 103 should be withdrawn.

15. Applicants thank the Examiner for his indication that claims 1-27, 29, 30, 32, 33 and 35-38 are free of the prior art.

16.-17. Applicants submit that the claims are patentable over the other cited references which are made of record in this case.

ALTO 4335.3

CONCLUSION

It is felt that a full and complete response has been made to the Office action and, as such, places the application in condition for allowance. Such allowance is hereby respectfully requested. If the Examiner feels, for any reason, that a personal interview will expedite the prosecution of this application, he is invited to telephone the undersigned.

Applicants do not believe that a fee is due in connection with this response. If, however, the Commissioner determines that a fee is due, he is authorized to charge Deposit Account No. 19-1345.

Respectfully submitted,



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